

Attorney Docket No. 051252-5201

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dr. Martin MAASS. )  
Application No. 09/442,977 ) Group Art Unit: 3747  
Filed: 18 November 1999 ) Examiner: Miller, C. 7-30-01  
For: HIGH PRESSURE FUEL PUMP DELIVERY )  
CONTROL BY PISTON DEACTIVATION )

RESPONSE TO ELECTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Election Requirement mailed 27 December 2000, with the period of response having been extended two-months to 27 March 2001, Applicants hereby provisionally elect the invention identified in the Office Action as the species of Figure 3. Claims 1-9, 14-20, and 31-41 are readable on the elected invention. Moreover, it is respectfully submitted that claims 1-6 and 31-40 are generic to each species. An action on the merits is requested.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,  
**MORGAN, LEWIS & BOCKIUS LLP**

By: Scott J. Anchell  
Scott J. Anchell  
Reg. No. 35,035

Dated: 27 March 2001

Customer No. 009629  
**MORGAN, LEWIS & BOCKIUS LLP**  
1800 M Street, N.W.  
Washington, D.C. 20036  
(202) 467-7000